

App. No. 10/019097  
Office Action Dated December 20, 2004  
Amd. Dated April 20, 2005

### **REMARKS**

Favorable reconsideration of this application is requested in view of the following remarks. Claims 1, 6-9, 13 and 15 have been amended editorially. Claim 1 has also been amended to recite "automatic dispensing machine for dispensing food and drinks and for adjusting parameters during preparation of said food and drinks", as supported, for example, at page 1, lines 13-15. New claim 17 incorporates limitations recited in original claim 1 and claim 9. New claim 18 incorporates limitations recited in amended claim 1. No new matter has been added. Claims 1-18 are pending.

### **Claim rejections - 35 U.S.C. § 102**

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Lemelson (US 5,548,660). Applicants respectfully traverse the rejection.

Claim 1 is directed to a control device for at least one automatic dispensing machine for dispensing food and drinks and for adjusting parameters during the preparation of food and drinks. The device comprises an identification means whereby a person who is authorized to use or to program the automatic dispensing machine can be identified. The device also comprises a speech-pattern-analyzing means, such that a specified hardware/software receiving section of the automatic dispensing machine receives the control signal from the vocal input.

Lemelson fails to disclose a control device for controlling at least one automatic dispensing machine for dispensing food and drinks and for adjusting parameters during the preparation of food and drinks. Therefore, Lemelson fails to anticipate independent claim 1. Withdrawal of the rejection is respectfully requested.

Claim 9 is directed to the device of claim 1 further comprising a data-collection system which collects the vocal data that have been input and evaluated and which is connected to a cashier system so that the identified and evaluated vocal data can be employed to generate a printed bill.

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Lemelson discloses a computer security system in which a record is made of the identity of all persons operating the computer and the information entered and received from the computer, whereby the source of data entered into the computer and retrieved therefrom may be identified for auditing purposes (col. 2, ll. 57-62). Lemelson fails to disclose a cashier system so that the identified and evaluated vocal data can be employed to generate a printed bill. Lemelson fails to anticipate claim 9. Withdrawal of the rejection is respectfully requested.

Claims 2-15 depend from independent claim 1. For at least the reasons discussed above for independent claim 1, withdrawal of the rejection is respectfully requested.

**Claim rejections - 35 U.S.C. § 103**

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson in view of Buchner et al. (US 6,535,854). Applicants respectfully traverse the rejection. Claim 16 depends from claim 1. For at least the reasons discussed above with regard to claim 1, withdrawal of the rejection is respectfully requested.

In addition Applicants believe new claims 17 and 18 are allowable for at least the reasons discussed above with regard to claims 1 and claim 9.

In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions or concerns regarding this communication can be directed to the undersigned attorney, John J. Gresens, Reg. No. 33,112, at (612) 371-5265.

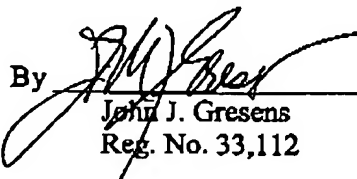
Respectfully submitted,



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Date: April 20, 2005

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